

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

ROBERT MOORE
Plaintiff,

v.

**U.S. IMMIGRATION AND CUSTOMS
ENFORCEMENT; U.S. CUSTOMS AND
BORDER PROTECTION; AND
U.S. DEPARTMENT OF HEALTH
AND HUMAN SERVICES,
Defendants.**

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EP-19-CV-00279-DCG

JOINT MOTION TO RETAIN CASE

Plaintiff, Robert Moore and Defendants, U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), and U.S. Department of Health and Human Services (HSS) respectfully file this Joint Motion to Retain Case on the Court's docket at least 60 days and would show the following:

1. This matter was scheduled for a bench trial on September 15, 2021. ECF No. 121. The issue at trial related to the withholding of migrant information from production to Plaintiff's Freedom of Information Act request CBP-2018-064544. *See* ECF No. 129, ¶ 1.

2. On September 14, 2021, CBP rolled back certain redaction from its production thereby resolving the issues that were to be presented to the Court at trial. *Id.*, ¶ 2.

3. On September 14, 2021, Plaintiff submitted his requests for attorney fees and costs to Defendants. The parties agreed that written responses to Plaintiff's requests for fees and cost would be submitted to Plaintiff by September 28, 2021. *See id.*, ¶ 3.

4. On September 28, 2021, Defendants filed a Notice to the Court advising not all defendant agencies had provided undersigned counsel authority to respond to Plaintiff's request

for fees and costs. ECF No. 131, ¶ 5. Defendants further advised they anticipated providing Plaintiff with written responses from all Defendants by no later than October 8, 2021. *Id.* at ¶ 6.

5. The Parties now advise the Court they have resolved all issues with this case, to include Plaintiff's request for fees and costs. The Parties respectfully ask that the Court retain this case on its docket for at least 60 days to enable time for processing of monies owed and drafting of settlement documents.

Respectfully submitted,

ASHLEY C. HOFF
UNITED STATES ATTORNEY

Date: 10/08/2021

/s/ Manuel Romero
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Date: 10/08/2021

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ORDER

The Court having considered the Parties Joint Motion to Retain Case in the above-entitled and numbered cause, is of the opinion that said motion should be and is hereby **GRANTED**.

THEREFORE, IT IS ORDERED that this matter shall be retained on the Court's docket at least until _____, 2021.

SIGNED this ____ day of _____, 2021.

DAVID C. GUADERRAMA
UNITED STATES DISTRICT JUDGE